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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 HENRY JAMES,

9
10 Plaintiff,

11 v.

12 FPI MANAGEMENT, INC., *et al.*,

13
14 Defendants.

Case No. C18-998 RSM

ORDER DENYING MOTION FOR
SERVICE BY U.S. MARSHAL

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16 **I. INTRODUCTION**

17 This matter comes before the Court on Plaintiff's Motion for Service of Summons by
18 U.S. Marshal. Dkt. #6. Plaintiff is proceeding in this matter *in forma pauperis* and therefore
19 seeks assistance with service of the Summons and Complaint on Defendants. For the reasons
20 below, the Court DENIES the motion at this time, without prejudice to re-filing.

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22 **II. DISCUSSION**

23 Federal Rule of Civil Procedure 4(c)(3) provides:

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25 At the plaintiff's request, the court may order that service be made by a
26 United States marshal or deputy marshal or by a person specially
27 appointed by the court. The court must so order if the plaintiff is
28 authorized to proceed *in forma pauperis* under 28 U.S.C. § 1915 or as a
seaman under 28 U.S.C. § 1916.

29 The Rule allows the Court to order service by the Marshal when requested, and
30 mandates it for *in forma pauperis* prisoner plaintiffs proceeding under 28 U.S.C. § 1915.

1 Although Plaintiff was granted leave to proceed *in forma pauperis* in this Court, he is not a
2 prisoner. Thus, service by Marshal is not mandated. However, the Court recognizes that
3 Plaintiff has limited means and the Court should assist in the service of this matter.
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5 Plaintiff bears the burden of providing accurate and sufficient information to effect
6 service of the summons and complaint. Plaintiff has not provided such information to the
7 Court in his motion. Accordingly, the Court declines to direct service at this time, but does
8 not prevent Plaintiff from filing another motion for service by U.S. Marshal **containing**
9 **accurate service information for all of the Defendants.** Plaintiff shall also inform the
10 Court of any attempts he has made to effect service.
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13 III.CONCLUSION

14 Having reviewed Plaintiff's motion, and for the reasons stated above, the Court
15 hereby finds and ORDERS that his Motion for Service by U.S. Marshal (Dkt. #6) is
16 DENIED. The Clerk shall mail a copy of this Order to Plaintiff via U.S. Mail.
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18 DATED this 3rd day of August 2018.
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22 RICARDO S. MARTINEZ
23 CHIEF UNITED STATES DISTRICT JUDGE
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